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Attorneys for Receiver
**ROBB EVANS OF ROBB EVANS & ASSOCIATES
LLC**

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

JEREMY JOHNSON, etc., et al.,

Defendants.

Case No. 2:10-CV-02203-MMD-GWF

**EX PARTE APPLICATION TO SEAL
EXHIBITS 3 THROUGH 5 (DOC. NOS.
1574-3, 1574-4 AND 1574-5) TO
DECLARATION OF GARY OWEN
CARIS IN SUPPORT OF REPLY TO
RESPONSE BY JEREMY JOHNSON TO
MOTION FOR ORDER (1)
AUTHORIZING, APPROVING AND
CONFIRMING SALE OF BEAVER
DAM, ARIZONA TRAILER PARK,
APPROVING SALE AND OVERBID
PROCEDURES AND FOR RELATED
RELIEF; AND (2) GRANTING RELIEF
FROM LOCAL RULE 66-5
PERTAINING TO NOTICE TO
CREDITORS**

1 Robb Evans of Robb Evans & Associates LLC ("Receiver"), the Receiver appointed
2 pursuant to the Court's Preliminary Injunction Order issued February 10, 2011, pursuant to Local
3 Rule 9037(b), hereby applies *ex parte* for an order to seal Exhibits 3, 4 and 5 to the Declaration of
4 Gary Owen Caris filed in support of the Receiver's Reply to Response by Jeremy Johnson to
5 Motion (Doc. No. 1574) filed by the Receiver on January 13, 2015. The Receiver inadvertently
6 publicly filed Exhibits 3, 4 and 5 (Doc Nos. 1574-3, 1574-4, and 1574-5), which contain
7 personally identifiable information and other financial information of various third parties. After
8 learning of the inadvertent error, the Receiver has promptly filed this *Ex Parte* Application
9 requesting the Court to seal those exhibits.

10 Good cause exists to seal Exhibits 3, 4 and 5 as the Receiver seeks to prevent such private
11 information of third parties from being available for disclosure or public review. The three
12 exhibits are checks which contain account numbers and in one instance a personal address. By
13 this Application, the Receiver seeks to correct his inadvertent error in filing an unredacted version
14 of the checks and has submitted the exhibits in redacted form with the proposed order on this *Ex*
15 *Parte* Application. The undersigned counsel apologizes for any inconvenience to the Court or the
16 parties caused by this error.

17 For the foregoing reasons, the Receiver requests that the Court seal Exhibits 3, 4 and 5
18 (Doc Nos. 1574-3, 1574-4, and 1574-5) filed on January 13, 2015. Lodged concurrently is a

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1 proposed order to seal Exhibits 3, 4 and 5 and pursuant to Local Rule 9037(b), attached
2 collectively as Exhibit A to the proposed order are redacted copies of Exhibits 3, 4 and 5.
3

4 Dated: January 14, 2015

Respectfully submitted,

5 RANDOLPH L. HOWARD
6 KOLESAR & LEATHAM, CHTD.

7 MCKENNA LONG & ALDRIDGE LLP
8 GARY OWEN CARIS
9 LESLEY ANNE HAWES

10 By: /s/ Gary Owen Caris

11 Gary Owen Caris
12 Lesley Anne Hawes

13 Attorneys for Receiver
14 **ROBB EVANS OF ROBB EVANS &**
15 **ASSOCIATES LLC**
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CERTIFICATE OF SERVICE

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 300 S. Grand Avenue, Suite 1400, Los Angeles, CA 90071.

On January 14, 2015, I served the **EX PARTE APPLICATION TO SEAL EXHIBITS 3 THROUGH 5 (DOC. NOS. 1574-3, 1574-4 AND 1574-5) TO DECLARATION OF GARY OWEN CARIS IN SUPPORT OF REPLY TO RESPONSE BY JEREMY JOHNSON TO MOTION FOR ORDER (1) AUTHORIZING, APPROVING AND CONFIRMING SALE OF BEAVER DAM, ARIZONA TRAILER PARK, APPROVING SALE AND OVERBID PROCEDURES AND FOR RELATED RELIEF; AND (2) GRANTING RELIEF FROM LOCAL RULE 66-5 PERTAINING TO NOTICE TO CREDITORS** upon the parties and/or counsel listed and by the methods indicated on the attached Service List.

I declare upon the penalty of perjury that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this Court at whose direction the service was made. Executed on January 14, 2015 at Los Angeles, California.

/s/ Christina O'Meara
Christina O'Meara

SERVICE LIST

The following CM/ECF participants were served by electronic means on January 14, 2015:

- **Jared C. Bennett**
jared.bennett@usdoj.gov, valerie.maxwell@usdoj.gov
- **Theodore J Besen**
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- **Ava Bessel**
abessel@hutchlegal.com, jdeangelis@hutchlegal.com
- **Edward D Boyack**
sherri@edblaw.net
- **Joseph R Brooke**
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- **Gary Owen Caris**
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- **Christopher Childs**
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- **Scott T. Evans**
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- **Collet Guerard**
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- **Randon Hansen**
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- **Jessica G Peterson**
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- **Karra J Porter**
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ne.macleod@chrisjen.com
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@usdoj.gov, josephine.sommer@usdoj.gov

The following non-CM/ECF participants were served by first-class mail, postage prepaid

on January 14, 2015:

Ryan Riddle
446 East 1410 South
Washington, UT 84780

Bryce Payne
2399 East Bella Rosa Circle
St. George, UT 84780

Loyd Johnston
110 North 200 East
PO Box 44
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P.O. Box 387
94 Grand Harbor Drive
Grand River, Ohio 44045-0387

Scott Leavitt
2271 Southgate Hills Drive
St. George, UT 84770
E-mail: scottleavitt1224@yahoo.com

1 Andy Johnson
3641 Vista View Circle
2 Santa Clara, UT 84765

3 **SPECIAL NOTICE PARTIES -- MAIL**

4 Aaron D. Randall
Hughes, Thompson, Randall & Mellen, P.C.
5 187 North 100 West
Saint George, UT 84770
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**~~PROPOSED~~ ORDER GRANTING EX
PARTE APPLICATION TO SEAL
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1574-3, 1574-4 AND 1574-5) TO
DECLARATION OF GARY OWEN
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RELIEF; AND (2) GRANTING RELIEF
FROM LOCAL RULE 66-5
PERTAINING TO NOTICE TO
CREDITORS**

1 Robb Evans of Robb Evans & Associates LLC ("Receiver"), the Receiver appointed
2 pursuant to the Court's Preliminary Injunction Order issued February 10, 2011, having applied *ex*
3 *parte* for an order sealing Exhibits 3, 4 and 5 to the Declaration of Gary Owen Caris filed in
4 support of the Receiver's Reply to Response by Jeremy Johnson to Motion (Doc. No. 1574) filed
5 by the Receiver on January 13, 2015 as Doc Nos. 1574-3, 1574-4, and 1574-5, and good cause
6 appearing therefor,

7 IT IS HEREBY ORDERED that Exhibits 3, 4 and 5 to the Declaration of Gary Owen
8 Caris filed in support of the Receiver's Reply to Response by Jeremy Johnson to Motion (Doc.
9 No. 1574) filed by the Receiver on January 13, 2015 as Doc Nos. 1574-3, 1574-4, and 1574-5 be
10 sealed by the Court and that Exhibits 3 through 5 attached hereto collectively as Exhibit A to this
11 Order be substituted in their place.

12
13
14 Dated: January 14, 2015



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 300 S. Grand Avenue, Suite 1400, Los Angeles, CA 90071.

On January 14, 2015, I served the **[PROPOSED] ORDER GRANTING EX PARTE APPLICATION TO SEAL EXHIBITS 3 THROUGH 5 (DOC. NOS. 1574-3, 1574-4 AND 1574-5) TO DECLARATION OF GARY OWEN CARIS IN SUPPORT OF REPLY TO RESPONSE BY JEREMY JOHNSON TO MOTION FOR ORDER (1) AUTHORIZING, APPROVING AND CONFIRMING SALE OF BEAVER DAM, ARIZONA TRAILER PARK, APPROVING SALE AND OVERBID PROCEDURES AND FOR RELATED RELIEF; AND (2) GRANTING RELIEF FROM LOCAL RULE 66-5 PERTAINING TO NOTICE TO CREDITORS** upon the parties and/or counsel listed and by the methods indicated on the attached Service List.

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/s/ Christina O'Meara

Christina O'Meara

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EXHIBIT A

EXHIBIT A

EXHIBIT 3

Catalyst Corporate




	KERRY V. JOHNSON P.O. BOX 639 SANTA CLARA, UT 84768	1038
PAY TO THE ORDER OF <u>Mountain America Credit Union</u>		<u>Mar 4, 2011</u> DATE
<u>One hundred thousand and 00/100</u>		\$ <u>100,00.00</u>
 SOUTH WEST COMMUNITY FEDERAL CREDIT UNION www.southwestcu.com LAURENCE TERRY 800-371-1200	<u>Key file</u>	1038
MOUNTAIN AMERICA CREDIT UNION SUNSET 0076 ST. GEORGE, UTAH TELLER: 1260 SEQUENCE # 4069839 3/4/2011 16:15:34		
Sequence 5171464, Acct #		Ck # 1038, Amt. \$100,000.00
NO 2187 P. 56/66		DEC 13 2012 4:18PM 2147037909

EXHIBIT 4

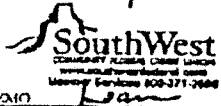
 KERRY V. JOHNSON
P.O. BOX 639
SANTA CLARA, UT 84765

1094

Jan 19, 2012 DATE

PAY TO THE ORDER OF Ryan Anderson \$ 80,000.00

Eighty Thousand and 00/100 DOLLARS

 SouthWest
COMMUNITY FEDERAL CREDIT UNION
MEMBER SERVICES 800-371-7666

M/M/O Lean

Kerry Johnson

1094

Sequence: 80500923 Check#: 1094 TR: 324378036 Account: 1239037 TranCode: 0 Amount: \$80,000.00 Date: 01/20/2012

MOUNTAIN AMERICA CREDIT UNION
SUNSET 0076
ST. GEORGE, UTAH
TELLER: 0075 SEQUENCE # 2883579
1/19/2012 09:23:44

[Signature]

EXHIBIT 5

Check 0

Page 1 of 1

Check Image

Bus. Date	Bk Name	Seq. Num	Check	Acct. Num	Tran Code	Amount	FRU-A&A
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RYAN G ANDERSON 07-01
SARA A ANDERSON

31-7563/3240

2445

DATE 10-11-2012

PAY TO Kerry Johnson
THE ORDER OF Fifty three thousand

\$53,000.00

DOLLARS

MOUNTAIN AMERICA
CREDIT UNION

P.O. BOX 9981, DENVER, CO 80202

MEMO Red Rock pay off

3324079555

ENDORSE HERE

Ken H...

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
Re: Enrollment Application

6/11/2012
S12
0008

THESE ARE THE NAMES OF THE PERSONS WHOSE NAMES ARE TO BE ON THE
SECURITY PRINTS. IN THE CASE OF JOINT OWNERSHIP, THE NAMES OF ALL JOINT OWNERS
MUST BE LISTED. IN THE CASE OF JOINT OWNERSHIP, THE NAMES OF ALL JOINT OWNERS
MUST BE LISTED. IN THE CASE OF JOINT OWNERSHIP, THE NAMES OF ALL JOINT OWNERS
MUST BE LISTED.

PLACEMENT OF SIGNATURE BOARD OF GOVERNORS REG. CC

- Electronic Endorsements

Seq#	Record Type	Description	ID	StatDate	Seq#	RTS Truncated	Converted	Corrected	Return Code
1	A	BOFD	1	06/14/2012	2980425	324378038	Y	2	4